

New Market News

TOWN OF NEW MARKET, MARYLAND

JANUARY/FEBRUARY 2010

Message from the Mayor



Recently, the BOCC passed an amendment to their APFO applying their school standard to municipalities. By law they may be able to do so if they find a significant adverse impact to the public health safety and welfare. This has resulted in several municipalities filing an appeal with the Circuit Court. Since the County already controls our growth by virtue of the fact that they control our utilities (water and sewer), we have APFO by default. Thus, the Town will not be joining the lawsuit.

Nonetheless, there are quite a few issues regarding this matter I would like to point out.

School capacity system wide is only 92%. While 21 of 61 schools are overcapacity, the top five overcrowded schools do not serve municipalities. All

three of the schools that serve the County controlled "unincorporated" municipality of Urbana are overcrowded. Casual observation suggests this is attributable to poor County (not municipality) coordination of planning where growth and school construction occur. School overcrowding is pure and simply not attributable municipalities.

The BOE did not support this amendment and went as far as to recognize alternative methods of achieving concurrency.

Oddly, this amendment is only effective for new municipal growth after June 2009. This clearly suggests that there is no current adverse impact. The BOCC are simply anticipating a future adverse impact that targets the City of Frederick who until recently have been under a building moratorium. Moreover, the

BOCC controls the sewer utilities for northern annexations. Thus this legislation was not needed to prevent those developments. Perhaps the intent of the amendment is to not only control municipalities but future County Commissioners as well.

This amendment focuses on only one element of APFO, schools. There are other APFO elements such as roads. Using New Market as an example, we can demonstrate that concurrency for all elements are a complex set of simultaneous equations that can only be achieved incrementally. The BOCC "rewrote" the NM Region Plan, after interfering with our bypass annexation with promises of traffic solutions, they proceeded to zone Eaglehead and remove our bypass solution from the plan. This leaves the Town with 3 1/2 times more traffic on Main St. which passes through our school zone, business, residential and Historic District. This level of traffic (v/c=114%) means complete failure of the road and will lead to a completely dangerous conditions for our children and residents. The BOCC then bankrupted Land Stewards in an effort to get them to pay for more than economically feasible for one developer in order to fix problems. This leaves NM with no problems solved and a devastating future traffic problem. The BOCC does not reciprocate to the Town by applying their APFO road test to our Main St.

Current economic conditions will lead to greater pressure on municipal government to expand and diversify their tax base. Municipalities do not have as many revenue generating sources as the County. As such we must keep all our options open to obtain much needed infrastructure such as road and utilities.

Government is best when closest to the people. Municipal government by nature is not only closest to the people but more attentive to the needs of neighbors/constituents. This

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DATES TO REMEMBER:

Jan. 7 -- Planning & Zoning Meeting 7:00 p.m.

Jan. 12 -- HDC/ARC Meeting 7:00 p.m.

Jan. 13 -- Town Council Meeting 7:00 p.m.

Feb. 4 -- Planning & Zoning Meeting 7:00 p.m.

Feb. 9 -- HDC/ARC Meeting 7:00 p.m.

Feb. 10 -- Town Council Meeting 7:00 p.m.

NOTE: The office will be closed on January 18 (Martin Luther King's Birthday) and February 15 (President's Day).

BOCC action reduces your say in the process. It suggests that big brother in Winchester Hall knows better than you do in Town Hall.

Smart Growth suggests that growth should occur around current population and infrastructure. Municipalities are the logical extension of that premise. There are many tools in the concurrency toolbox (i.e. APFO, moratoria, utilities, zoning, annexation agreements and DRRAs) to implement Smart Growth. Likewise each municipality is unique and therefore solutions to each municipality's problems are unique as well. APFO is not a one size fits all as the BOCC amendment implies. It may require effort, but there is no reason other than political will for the County and municipalities not to work cooperatively towards incremental concurrency on all levels using our comprehensive set of tools.

With all due respect to the charm and beauty of the greater county, it is the municipalities that create local culture in Frederick County. We have all been to "in the Streets", Color Fest, Railroad Days, NM Days, etc.... When was the last time you went to a County controlled "unincorporated" municipality for a special event? There are many challenges facing municipalities. If we value their contribution to our community, we must encourage the County to work cooperatively, not competitively with municipalities.

This amendment is pure and simply about control, not planning or working cooperatively with municipalities. The current BOCC has had the audacity to inject themselves into municipal elections and annexations. When they are not successful in our political process, they simply legislate our local autonomy out of their way. This BOCC amendment is a bad precedent that will only likely continue with this BOCC. Commissioner Thompson would even go as far as succeed from the state.

In the final analysis the Town supports concurrency and cooperation with the County. However, this legislation is no way to achieve either. It is a gross over reach by County leaders. Concurrency objectives can only be achieved incrementally by utilizing all our concurrency tools. Thus, while the Town is neutral in its actions, it is not neutral in its heart. We support our

fellow municipalities in defending against this legislation.

Thanks,
Winslow
301.748.6517
burhanscab@earthlink.net



Town Council Notes

- The audit was completed and a copy if available for review at Town Hall or a PDF version can be emailed to interested parties. Budget adjustments will be made to the FY10 budget at the January 2010 meeting.
- Students from Urbana elementary school took a recent walking tour of New Market. At the December meeting they presented collections of photos and stories of their favorite moments of their tour to the Mayor and Town Council.
- There were several reappointments to the Board of Appeals. They are listed below with their term ending date:
 - Michael D'Ovidio (12/12)
 - Kevin Brightful (12/12)
 - Alternate Scot Morrow (12/11)
- The following water reclassifications were approved at the November meeting:
 - W3 to W5
 - 8 West Main Street
 - 33 West Main Street
 - 17 East Main Street
 - W5 to W3
 - 168 West Main Street
 - 20 East Main Street
- Water/Sewer Adjustment -- An additional 0.40 water and sewer taps were approved for 3 East Main Street. The additional taps were required according to the Department of Utilities.
- A motion was made to authorize Councilman Price to conduct a

workshop(s) on the refurbishing the I70 Historic Antiques Capital sign.

- There was an Executive Session held under the Open Meetings Act Law 10-508(a)(7) for Mayor and Council to consult with legal counsel.

Planning & Zoning Notes

- Zoning Administrator, Bruce Galloway presented information to the P&Z Committee on the Property Maintenance Code. He also led a discussion with members of HDC/ARC on the zoning ordinance. Some of the topics included:
 - Use Permit--when the use of the property changes.
 - Building Permit--for when you are making physical changes to a particular structure.
 - Amendments -- The two types are: Map Amendment & Text Amendment.
 - Subdivision Regulations
 - Site Plan--involves a review of a particular application for a newly constructed use.
- Mike Sponseller of the New Market Cemetery Company (located on Rt. 874) informed the committee that they are in the process of removing all of the trees, brush and damaged fencing. They will replace the fence with something similar to the fence that is along the back end of Royal Oaks near the cemetery on North Alley.
- Brinkley Manor Updates --
 - Walking path will be completed once the berm is graded.
 - Storm Drains -- there is a problem with the storm drains "ponding". Bruce Galloway will speak to Jeff Shriner about notching the storm drain so the water will flow into them.
 - Parking Issue -- concerns of people parking on both sides of the street and the access for emergency equipment.

HDC/ARC Notes

The following applications were approved:

- 52 W. Main -- wheelchair ramp.
- 9 W. Main -- addition in rear f
- 22 W. Main -- storm door

Christmas Tree Pick-Up



There are two days for Christmas Tree pick-up this year. They are:

Wednesday, January 13 &

Wednesday, January 20

- Trees must be free of decorations and lights.
- Cut tree in half if over 5 feet in length.
- No plastic bags
- No tree stands

Weekly Trash Totals

Here are the trash totals (in tons) for the last two months. Recycling helps to keep our costs down and keeps items that may be recycled out of the landfill. The lowest amount was 4.81 tons on June 16 and a high of 9.64 on September 8. The weekly average from June through November was 5.63 tons.



DATE	TONS
10/06/09	5.47
10/13/09	5.10
10/20/09	5.61
10/27/09	6.13
11/3/09	No data
11/10/09	No data
11/17/09	No data
11/24/09	5.30

New Market Cemetery Update

NEW MARKET CEMETERY is a work in progress, and efforts are continually under way to maintain the appearance that this historic cemetery deserves. Many of our loved ones and dear friends are laid to rest there, and, as such, it is hallowed ground. A quiet, reflective walk to visit the many and very old grave sites is always welcome, and it is requested only that a small degree of propriety be observed:

- ◆ Please do not use the cemetery as a doggy rest room. Defecation is desecration.
- ◆ Please do not allow children to play there. Monuments are very old, extremely heavy, and many are of questionable stability.
- ◆ Do watch your step. Old cemeteries take on an uneven, rolling ground and despite all best efforts, groundhog holes are still encountered there. Please be careful.
- ◆

The New Market Cemetery Company is a certified non-profit organization under U.S. Tax Code 501(c)(13).

Larry Loveland, President,
New Market Cemetery Company.

Snow & Ice Removal

Please remember that Main Street is designated a "Snow Emergency Route". During a snow event, please move your vehicle off Main Street to allow the plows to clear all the way to the curbs. You may park in the the new community parking lot (next to the community park, Federal & South Alley) until Main Street has been plowed. The town has also made arrangements with the Grange Hall (located on South & Seventh Alley) to park in their lot.



Please clear off your sidewalks in front of your property within six (6) hours from the end of the snowfall or other precipitation, or if the snowfall or other precipitation occurred overnight, by 2:00 pm the following afternoon. If ice is not readily removable, sufficient calcium chloride or similar commercially available product should be applied to effectively melt and remove the accumulation of ice.

Notes from Councilman David Price

Mealey's Update

Several prospective buyers have put offers in on the property. Appraisers have been in the building to appraise the business, restaurant equipment and property. I believe we are getting closer to an actual sale but as of today Jan. 6th no sale has been completed. Cross your fingers that a deal will get done in the near future.

Historic Photographs

I am looking for photographs of New Market and the New Market area prior to 1980 for a large project. I am working with several groups to catalog and caption any and all photo images of New Market's past. Please send me an email if you have any photos. No limits on criteria. They can be of families, neighborhoods, activities, landscapes etc. The only limitation is prior to 1980.



New Market Day

The first meeting for New Market Day (which will be held the first Saturday in May) is **Thursday January 21st at 6:30 pm at Town Hall**. Please join us to lend your talents to our premiere town event. We are looking for bodies, talents and a chair-man. It is actually a lot of fun to become involved with this festival. Benefits include, friendships, hard work, fun, community service and lots of smiles and laughs.



Historic Walking Tours

Beginning in February Historic Walking Tours of New Market will be offered on Saturdays and Sundays. These will begin at 12 West Main Art Gallery. A schedule will be posted on the town website in the coming weeks.

Lifeline Refinance Mortgage Program

From Governor O'Malley's Office --

Eligibility: The Maryland Department of Housing and Community Development's Community Development Administration's (CDA) Lifeline O'Malley's Mortgage Program (Lifeline) provides a refinancing option to Marylanders who may be facing financial difficulties after purchasing a home with an adjustable rate mortgage. For the Lifeline Program, the minimum "representative" credit score is 600 and the mortgage being refinanced may not be delinquent. This program allows CDA to refinance "qualified subprime loans", defined as an adjustable rate, single family mortgage loan made after December 31, 2001 and before January 1, 2008 that CDA determines would be reasonable likely to cause financial hardship to the borrower(s) if not refinanced. One of the following criteria must exist for consideration of a financial hardship for refinancing eligibility;

Details: Borrower's housing expense to income ratio based on the current payment or next anticipated rate adjustment will be greater than 31% of current income; or Borrower's housing expense to income ratio based on the lifetime capped interest rate (fully indexed) will be greater than 35% of current income; or the lifetime capped interest rate exceeds the rate offered by CDA by more than 2%; or; an involuntary reduction of household income of at least 5% or increase in expenditures related to the death of the borrower or co-borrower, permanent disability or serious illness or injury. Legal assistance is available.

For more information: HOPE Hotline -- 1.877.462.7555 or contact your local housing counseling agency.



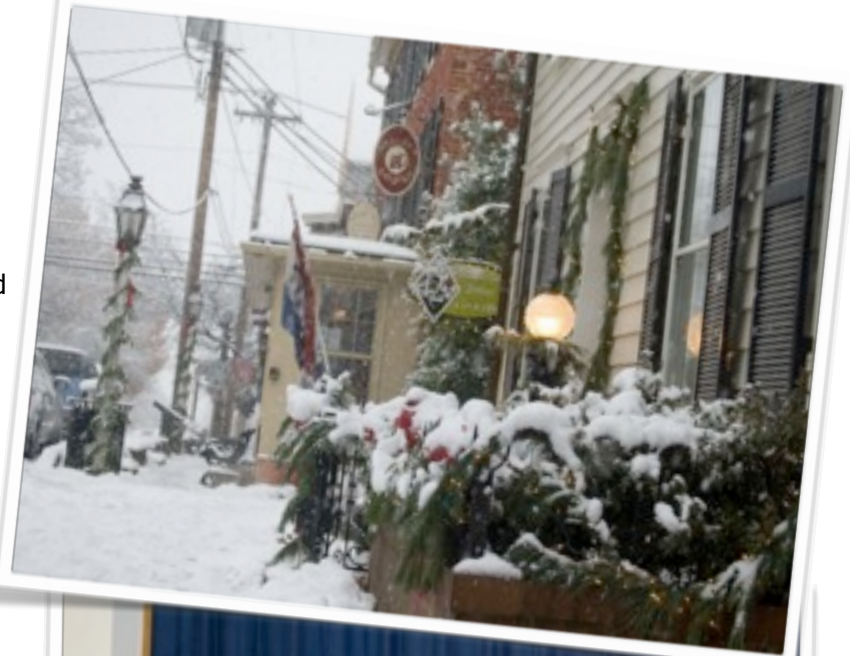
Christmas in New Market

Christmas in New Market is now behind us and has become yet another memory. Who knew we would get a "White Christmas" just for the festival? Even with the snow, road, and sidewalk conditions I heard a lot of good news from everyone saying they were busy. It didn't seem like very many people were in town (on the street) but when I stopped at several shops they had quite a few people in there looking around. Either way Christmas in New Market went off without a hitch! Singers sang and dancers danced when they were supposed to, Santa made his trip down just for us-I think he brought the snow-, the tree lighting picturesque, and the reception held all in all making for a successful Christmas in New Market 2009.

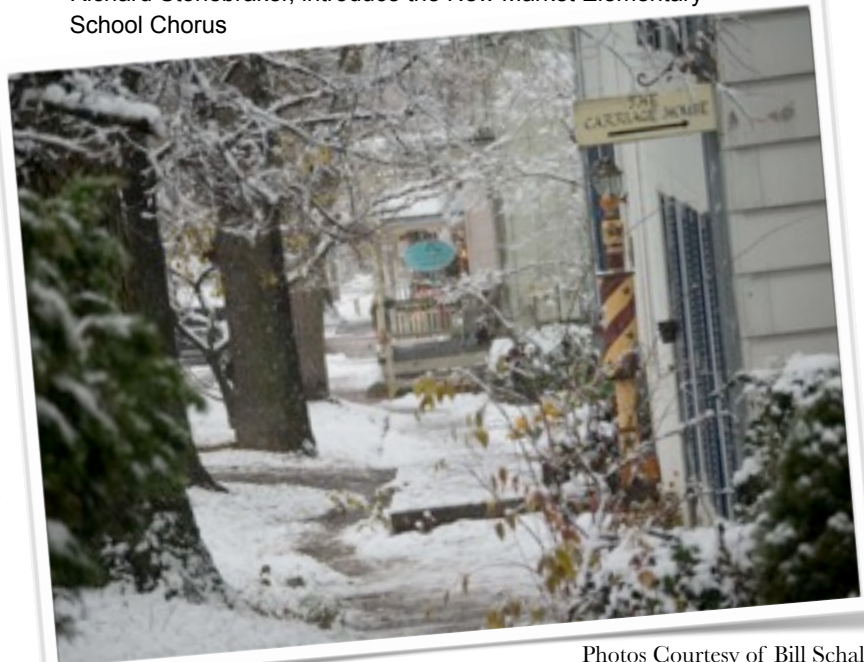
I would like to take this time and thank each and every one of you who made contributions to this year's festival; I certainly could not have done it without all the help. It's great when organizations and town's people can come together as one and hold a great festival. Although Christmas in New Market was only one day this year and the weather was a little scary everyone did their part to make it a huge success! THANK YOU, THANK YOU, THANK YOU!!!

After the first of the year we will have our final wrap meeting. At the meeting we will look over this year's festival and reflect; and we just might get a jump start on next year's festival. If you would like to attend please feel free to do so. When the date and place is selected a town wide email will be sent out, if you would like to be added to my list please email me at justafarmboy@msn.com and I will gladly add you. Once again thank you to my committee for all your hard work and dedication and a huge thank you to those who helped make the festival such a great success! I wish everyone a Merry Christmas and a blessed Happy New Year!

Richard Stonebraker
Christmas in New Market '09, Chair



Mayor Winslow Burhans & Christmas in New Market Chair, Richard Stonebraker, introduce the New Market Elementary School Chorus



Penguins on Parade!

The Mid-Maryland Performing Arts Center (MMPAC) paraded penguins down Main Street during Christmas in New Market. From Santa, to Mrs. Claus, the New Market Elementary School Chorus, MMPAC Voice and Dance performances, 7 inches of snow, the Girl Scouts, The Grange, The Versatiles – Christmas in New Market was a huge success! It was a great way to kick off the holiday season. Special thanks to all who braved the weather to show your support for our town festival. These festivals are put on by volunteers. It's important to show your support by attending these events. Way to go Richard Stonebraker! This year's chairman. If you're interested in chairing next year's event please contact Councilman David Price at gallery@12westmain.com



Are we a New Market or an Old Market?

A town sign is a welcome mat for the town. What should our town sign read? The next sign workshop will be held at 52 West Main Street - formerly Bob and Andrea's Antiques and now the Mid-Maryland Performing Arts Center Dance Studio. Please be there promptly at 7:15. The featured speaker will be Samara Anderson from North Star Marketing. She will be holding a webinar with other town case studies. She will also discuss the unique challenges the town of New Market faces at this point in its history.

What should the town sign say? Should it stay the same? Should the wording be changed? Are we still the 'Antiques Capital of Maryland'? Who are the stakeholders?

Bud Rossig will report on the historic status of the sign - Does it meet the criteria to be officially designated 'historic'. Howard Edwards will present a list of potential contributors to a marketing study. We will discuss the Main Street 4 point approach and 8 principles.

Information Sources:

Main Street Program Link - (<http://www.preservationnation.org/main-street/about-main-street/>) Link to the National Historic Trust website regarding the Main Street program. Please take special notice to the 4 point approach and the 8 principles.

Northstar Marketing Intro Video - (<http://www.youtube.com/watch?v=GzqGifB0SqM>) a short introduction to this company

Robert Esterly Antiques Receives 2009 Best of Frederick Award



Robert Esterly Antiques has been selected for the 2009 Best of Frederick Award in the Antique Furniture Repair & Restoration category by the U.S. Commerce Association (USCA).

The USCA "Best of Local Business" Award Program recognizes outstanding local businesses throughout the country. Each year, the USCA identifies companies that they believe have achieved exceptional marketing success in their local community and business category. These are local companies that enhance the positive image of small business through service to their customers and community.

Various sources of information are gathered and analyzed to choose the winners in each category. The 2009 USA Award Program focused on quality, not quantity. Winners are determined based on the information gathered both internally by the USCA and data provided by third parties.

Congratulations Bob on receiving this award!!

Green Building and Living From Seawright

My Source of Sources



There are many things you could ask me about “green” building or “sustainable” building that I could answer readily from experience or prior study. Other questions, though, would evoke a response of, “Good question. Let me get back to you on that.” And then, what do I do? If you are like me, you have your sources; and, here are mine for green building questions, listed in order of preference:

www.GreenBuildingAdvisor.com - This is perhaps the best, most encompassing web site for “how to” information on “building green” in the real world. This site functions as both a data base of green building information and as a blog. Have a technical question? Put it out there on the blog to the countless builder devotees and green techie mavens who follow this site and you will receive back one or more expert replies in short order.

www.epa.gov - The Environmental Protection Agency web site is the best information source for the Energy STAR and Water Sense programs administered by the EPA. The EPA also is a good source for home weatherization recommendations. This is an excellent site for background information on environmental issues, providing clear, readily understandable explanations on numerous matters related to energy usage and water consumption.

www.homefinder.com - The “Green Guide” section of this web site’s home page provides a good overview for home owners and home buyers on the basics of green building and green living as relates to residential property. The site’s articles entitled, “Green Home Myths”, “Top Ten Reasons for Green Homes” and “Tax Breaks for Green Homes” provide information likely of considerable interest to all persons contemplating purchasing or remodeling a home.

www.dsireusa.org - This is a “show me the money” web site, providing a database of Federal and State financial incentives for renewable energy and energy efficiency. (If you visit this site you will see that Maryland, as compared to other states, does not distinguish itself by its provision of financial incentives for renewable energy or energy efficiency.)

www.eir.doe.gov - Here is a site from the Energy Information Agency of the Department of Energy that is an information source for historical and projected energy cost trends by source of energy. This is the type of information you want to have accessible if you have choices to make regarding future sources of energy and you want to consider how projected rates of cost increase for one source of energy bear on the projected savings achieved by utilizing an alternative source of energy.

“Affordable Passive Solar Plan book for North Carolina” - As the title indicates, this is a handbook/plan book and not a web site. The plan book is an excellent source of caulking and sealing details for home weatherization projects and it also provides a very clear explanation of passive solar design and construction. To locate this Plan book, “Google” for the titled as stated.

If you have a “green building” question that none of the above sites answer adequately, E-mail me at steve.seawright@clarkus.com and, in the process of answering your question, I will learn along with you.



Registration now open for the premier class of:

Hope Community Preschool & Family Ministries!

Select from a variety of options to design the program that works for your family!

2s,3s,&4s Classes, lunch bunch, fit kids classes

At the Mt. Carmel UMC community facility now under construction on Baltimore Rd across from Spring Ridge.

For details and registration go to:

Hopemtcarmel.org or write for information at
Mt. Carmel United Methodist Church
9411 Baltimore Rd. Frederick MD 21704

Looking for a property to buy or lease?

Here are two spaces available for lease:

- ★ 7th Alley (behind 22 W. Main Street) -- Approx. 300 square feet. Call: 301.514.6764
- ★ 12W. Main (approx. 12x25) -- \$450/month. Call David @301-514-7247

There are other properties for sale or rent. Councilman Price has compiled a list of properties and it is available for your review at Town Hall, 39 W. Main Street. He also has recently met with the Health Department and has info if you are looking to open a shop, restaurant, etc. Stop by or give us a call at 301.865.5544. You may also email Councilman Price directly at gallery@12westmain.com.



PO Box 27
New Market, MD 21774

ADDRESS SERVICE REQUESTED

PRSR STD
US POSTAGE PAID
FREDERICK, MD
PERMIT NO. 2334



New Market Elementary – A Blue Ribbon School!

The Maryland State Department of Education recently named New Market Elementary a Blue Ribbon School -- one of only six in Maryland!!

NMES met the state's criteria as a school that has demonstrated high achievement over a five-year period and ranks in the state's top 10% on Maryland assessments in reading and math.

On top of recognition as a highly effective school in Maryland and the nation, NMES will receive substantial gifts and prizes as a Maryland Blue Ribbon School. According to the MDSE web site, Smart Technologies donates a "technology classroom" valued at over \$13,000 to each school, and the prestige from the award often results in increased values in neighborhood housing.

NMES will receive a Governor's Proclamation, State Department of Education citation, Maryland Blue Ribbon Flag of Excellence and General Assembly honors following a dinner in Annapolis.

Congratulations to Principal Cindy Alvarado, the dedicated teachers and staff, parents, and students of New Market Elementary.